



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2302376
Applicant Name: Seattle Housing Authority
Address of Proposal: 1205 N 45th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit for demolition of two existing buildings (known as 1205 and 1255 N 45th Street) totaling 17,640 square feet with 1,100 cubic yards of grading.

The following approval is required:

SEPA - Environmental Determination – (Chapter 25.05, Seattle Municipal Code.)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
 ☒ DNS with conditions*
 ☐ DNS involving non exempt grading or demolition
 or involving another agency with jurisdiction.

* Early DNS was published on July 10, 2003.

BACKGROUND INFORMATION

Site and Vicinity Description

The subject site is zoned Neighborhood Commercial 2 (NC2-40'). The subject site is located in the Wallingford/Fremont area, Stone Way N to the east, N 45th Street to the north and Midvale Ave N to the west. The rectangular shaped lot is currently developed with a maintenance warehouse building and a commercial office building both owned and operated by the Seattle Housing Authority.

Adjacent zoning surrounding the site is as follows:

North	Lowrise 2 (L2)/ Neighborhood Commercial 2 (NC2-40)
East	Neighborhood Commercial 2 (NC2-40)
South	Single Family 5000 (SF 5000)
West	Lowrise 2 (L2)

Adjacent uses are as follows:

North	Single Family Residential & Multi Family Residential/Commercial
East	Commercial
South	Single Family Residential
West	Single Family Residential & Multi Family Residential

Proposal

Master Use Permit for demolition of two existing buildings (known as 1205 and 1255 N 45th Street) totaling 17,640 square feet with 1,100 cubic yards of grading.

Public Comments

Public notice of the project application was published on July 10, 2003. The required public comment period ended on July 23, 2003. DCLU received one comment letter regarding this proposal expressing concern for the value and visual appeal for adjacent residential uses. The structure to be demolished serves as a noise and privacy buffer to some residences. Support for timing the demolition of this structure with the construction of the replacement building was also expressed.

ANALYSIS - SEPA

The initial disclosure of the potential impacts of the proposed project was made in the environmental checklist dated May 3, 2003. The information in the checklist, supplemental information and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) states, in part, "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Thus, the mitigation that may be required pursuant to SEPA authority is limited. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

Short-term Impacts

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during demolition, demolition along the street right-of-way); 2) Building Code (demolition measures in general); and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and demolition; 3) increased noise and vibration from demolition operations and equipment; 4) increased traffic and parking demand from demolition personnel; 5) blockage

of streets by demolition vehicles/activities; 6) conflict with normal pedestrian movement adjacent to the site; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC). Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

- The proposal estimates approximately 1,100 cubic yards of demolished or excavated materials to be exported and disposed of off-site. Excess material to be disposed of must be deposited in an approved site. The proposal estimates approximately 1,100 cubic yards of fill to be imported to the site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and level of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, due to the fact that a large amount of demolition and building activity will be undertaken in association with the proposed project, additional analysis of air quality, noise, grading and traffic impacts is warranted and summarized below:

Environmental Element	Discussion of Impact
1. Air Quality	<ul style="list-style-type: none"> • Increased dust and particulate matter due to demolition and construction activities and hauling of waste materials.
2. Noise	<ul style="list-style-type: none"> • Increased noise levels as a result of construction activities.
3. Drainage	<ul style="list-style-type: none"> • 1,100 cubic yards of demolished/excavated materials.
4. Traffic	<ul style="list-style-type: none"> • An increase in vehicular traffic adjacent to the site due to construction vehicles.

Air Quality - Demolition/Construction

During demolition and construction, it is likely that dust particles will be released. The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. This will assure proper handling and disposal of asbestos, if it is encountered on the proposal site. However, there is no permit process to ensure that PSCAA will be notified of the proposed development.

1. A copy of applicable PSCAA permits shall be submitted to DCLU before issuance of the Demolition and Building Permits.

Noise

There will be demolition and excavation required to prepare the building site and foundation for future development. Due to the proximity of other residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the

SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), additional mitigation is warranted.

2. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work shall be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Drainage

Soil disturbing activities during demolition and site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Demolition/Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during demolition and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The demolition and construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. During demolition a single-loaded truck will hold approximately 10 cubic yards of material. This would require approximately 110 single-loaded truckloads to remove the estimated 1,100 cubic yards of fill.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

3. Truck traffic involving demolition, grading or fill materials shall not be allowed between 4:00 p.m. and 6:00 p.m.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) possible soil erosion, depending on the state the newly exposed ground is left in after demolition; possible negative aesthetic impacts if the site is not rebuilt upon or adequately landscaped after the proposed demolition takes place. These long-term impacts are not considered significant because the impacts are expected to be minor in scope.

Long-term impacts such as this are typical of this type of project and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are the: Stormwater, Grading and Drainage Control Codes; and the Land Use Code (aesthetic impacts).

Other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by condition.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

Prior to Issuance of Demolition Permit:

1. A copy of applicable PSCAA permits shall be submitted to DCLU before issuance of the Demolition and Building Permits.

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be

laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.
3. Truck traffic involving demolition, grading or fill materials shall not be allowed between 4:00 p.m. and 6:00 p.m.

Signature: (signature on file) Date: October 13, 2003
Lisa Rutzick, Land Use Planner
Land Use Services

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